

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

SEACORP, LLC, :
:
Plaintiff, : Civil Action
: No. 1:22-cv-01019-PTG-IDD
v. :
:
TITAN ONE ZERO, LLC, : July 19, 2023
:
et al., : 10:13 a.m.
:
:
Defendant. :
.....

**TRANSCRIPT OF FINAL PRETRIAL PROCEEDINGS
(VIA TELECONFERENCE)
BEFORE THE HONORABLE PATRICIA TOLLIVER GILES,
UNITED STATES DISTRICT COURT JUDGE**

APPEARANCES:

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MORNING SESSION, JULY 19, 2023

2 (10:13 a.m.)

3 THE COURTROOM CLERK: Okay. I'm going to call the case
4 now. The Court calls *Seacorp, LLC* versus *Titan One Zero, LLC*,
5 et al., Case Number 1:22-cv-1019.

6 May I have appearances, please, first for the plaintiff?

7 MR. REINECKER: Certainly. Todd Reinecker and Mansitan
8 Sow on behalf of the plaintiff, Seacorp, LLC.

9 MR. GRAY: And Walker Gray on behalf of the defendant,
10 Titan One Zero. Just myself today.

11 THE COURT: Good morning to all of you. This is Judge
12 Giles. We are on for the final pretrial conference in this case,
13 and even though we are appearing telephonically, we are -- we do
14 have a court reporter here, and so we're making a transcript of
15 the proceeding today.

16 And so each time you speak, I need you to announce your
17 name so we can make sure that the transcript will be accurate.

18 And first, I'd just like to confirm. I know that Judge
19 Davis entered an order in this case that your Rule 26 disclosures
20 could all be filed today. I understand that at least one party,
21 the defendant, has filed disclosures.

22 Plaintiff, do you anticipate filing yours today?

23 MR. REINECKER: We do, Your Honor, and I think that's --
24 my paralegal, hopefully, is doing that within -- within the
25 moment, but certainly today.

1 THE COURT: Okay, Mr. Reinecker, you did fail that first
2 test with announcing your name.

3 MR. REINECKER: I'm sorry, Your Honor.

4 THE COURT: That's okay. It's tough. I think it gets
5 everybody the first time.

6 MR. REINECKER: Well, I thank you. I certainly -- I
7 thought I was within the letter, if not the spirit, of Judge
8 Davis's order, but I will.

9 THE COURT: No, I'm talking about in announcing your name.
10 I'm talking about in announcing your name prior to speaking

11 MR. REINECKER: I'm sorry, Your Honor. Yes, this is Todd
12 Reinecker.

13 THE COURT: Thank you, Mr. Reinecker.

14 Now, do you all intend or have you filed the deposition
15 designations, Mr. Gray? Because you said you filed disclosures,
16 did that include the deposition designations?

17 MR. GRAY: Walker Gray speaking. Yes, Your Honor, those
18 were part of the disclosures. Inside of the documents that were
19 filed were the witness list, the exhibit list, and the deposition
20 designations.

21 THE COURT: All right. Thank you.

22 And for both sides, within 14 days of the designations
23 being filed, any party objecting to the declarations must file
24 those objections in compliance with Rule 26(a)(3).

25 And when you do, please file full copies of the

1 transcripts with the disputed portions highlighted.

2 In terms of trial, how many days does each side anticipate
3 this trial taking?

4 MR. REINECKER: Your Honor, this is Todd Reinecker. My
5 estimate would be approximately four days, and by that I mean
6 four days, including Sibley. I don't know if Mr. Gray has a
7 different view on that.

8 MR. GRAY: Walker Gray speaking. No, I don't think we
9 have a different view. It's certainly not going to take any more
10 time than that.

11 THE COURT: Okay. So four days. Let me look at the
12 calendar.

13 (Brief pause in proceedings.)

14 THE COURT: Just for clarification, is this a bench trial
15 or a jury trial?

16 MR. REINECKER: Todd Reinecker, Your Honor. It is a bench
17 trial.

18 THE COURT: Thank you.

19 (Brief pause in proceedings.)

20 THE COURT: Tuesday, October 3rd?

21 MR. GRAY: Your Honor, Walker Gray speaking. The lead
22 attorney for the case has a conflict with October 5th. He's
23 unavailable that day.

24 THE COURT: Hold on. Then October 17th.

25 MR. GRAY: Your Honor, Walker Gray again. October --

1 let's see. Excuse me. So I have from our client and one of our
2 key witnesses that they're unavailable October 12th through the
3 31st.

4 THE COURT: Then we're going to go back to September.

5 MR. GRAY: Okay. Thank you, Your Honor.

6 THE COURT: So, for September, September 5th.

7 MR. REINECKER: Your Honor, this is Todd Reinecker. I
8 have a family commitment that week, the end of a vacation.

9 THE COURT: Okay.

10 MR. REINECKER: Which I understand the Court's scheduling.
11 The October dates were --

12 THE COURT: -- then, you know what --

13 MR. REINECKER: -- more ideal.

14 THE COURT: -- Mr. Reinecker, let me interrupt you. I'm
15 going to go back to October 3rd. We will sit October 3rd and
16 4th. We will not sit on the 5th. And then we will resume on the
17 6th, and you will need to do this in three days. Understood?

18 MR. REINECKER: Understood, Your Honor.

19 MR. GRAY: Your Honor, understood. That works for us.
20 Walker Gray speaking.

21 THE COURT: Okay. Wonderful. So, in terms of voir dire,
22 per the local rules, those should be filed seven days before
23 trial. Jury instructions, I have special rules with respect to
24 those. We won't have jury instructions in this case, but I will
25 require pretrial briefs, since this is a bench trial. And so I

1 need to set a date for the pretrial. Your proposed Findings of
2 Fact and Conclusions of Law. I would like those seven days
3 before trial.

4 For your exhibits, you'll file those with the Clerk's
5 Office, but I need two courtesy copies, one for me and one for my
6 clerk. Do you anticipate filing any summary judgment motions?

7 MR. GRAY: Walker Gray, Your Honor. Yes, we intend on
8 filing a summary judgment motion.

9 THE COURT: Okay. I'm going to set a hearing date for
10 that. So, if the trial is October 3rd, then I will hear -- I'll
11 hear summary judgment motions on the 28th. That's close to the
12 trial date, but, unfortunately, I'm sitting with the Fourth
13 Circuit the previous week, and so I can't do it that previous
14 week.

15 MR. GRAY: Walker Gray, Your Honor. I'm sorry, it was a
16 little hard to hear. Did you say September 28th?

17 THE COURT: Yes, September 28th.

18 MR. GRAY: Okay. Thank you, Your Honor.

19 THE COURT: And so --

20 MR. REINECKER: Your Honor, this is Todd Reinecker. Is
21 there any possible way -- so, just to sort of rewind a little
22 bit, my understanding is that the defendant intends to file a
23 motion for summary judgment this Friday --

24 THE COURT: Oh, he wants to --

25 MR. REINECKER: -- to respond in the ordinary --

1 THE COURT: Oh. So, if it's going to be coming in that
2 soon, we can do that earlier. We can do that in August.

3 MR. REINECKER: That would be great, Your Honor. That
4 certainly gives us more time to sort of see where we are. And
5 that was Todd Reinecker.

6 MR. GRAY: Walker Gray, Your Honor. I don't have a
7 problem with --

8 THE COURT: -- August 24th --

9 MR. GRAY: -- with --

10 THE COURT: August 24th.

11 MR. GRAY: That's perfect.

12 MR. REINECKER: Todd Reinecker, Your Honor. That sounds
13 great.

14 THE COURT: Now, the last thing that I have to cover, and
15 I always cover this with everyone, is I inquire whether or not --
16 and I don't want any details. Have you all engaged in any
17 settlement discussions? Please, just yes or no.

18 MR. REINECKER: Your Honor, this is Todd Reinecker. The
19 short answer is yes. And, in fact, there was a settlement --

20 THE COURT: Okay. I just wanted the yes. I just wanted
21 the yes.

22 MR. REINECKER: Understood.

23 THE COURT: And so, I don't know whether or not -- and
24 this is what you, perhaps, were about to say. I don't know
25 whether or not you engaged with one of our magistrate judges, but

1 they do conduct settlement conferences for the parties, and they
2 tend to be very helpful with the involvement of a neutral third
3 party.

4 And so, if you have not already done so, I encourage you
5 to contact the magistrate judge who's assigned to this case, and
6 that's Judge Davis.

7 You would just contact his chambers and ask to set up a
8 settlement conference. And if you're going to do that, you
9 should do it soon. Understood?

10 MR. REINECKER: This is Todd Reinecker, Your Honor.
11 Certainly understood.

12 THE COURT: Okay.

13 MR. GRAY: Walker Gray. Understood, Your Honor.

14 THE COURT: Okay. Thank you. I think that's all that I
15 have. Do you all have anything further?

16 MR. REINECKER: This is Todd Reinecker, we do not.

17 MR. GRAY: This is Walker Gray, we do not have anything
18 further.

19 THE COURT: Well, thank you. Have a wonderful day, and
20 we're adjourned.

21 (Proceedings adjourned at 10:28 a.m.)

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C E R T I F I C A T E

I, Scott L. Wallace, RDR-CRR, certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

/s/ Scott L. Wallace

8/1/23

Scott L. Wallace, RDR, CRR
Official Court Reporter

Date